IN HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 1052 OF 2004

Kumar Kapoor .....Petitioner.

Versus

Civil Judge, Dehradun and Others. .....Respondents.

Hon'ble Rajesh Tandon J.

By the present writ petition, the petitioner has prayed for expediting S.C.C. Suit No. 35 of 2002.

Briefly stated, the suit was filed by the plaintiff/petitioner praying for the eviction of the defendant as well as for arrears of rent before the Judge Small Cause Court.

It has been stated in paragraph 11 of the writ petition that the case was listed on various occasions but the written statement has not been filed by the defendant.

However, the learned Civil Judge shall give an opportunity to the defendant for filing the written statement within a period of one month from the filing of the certified copy of the order. The learned judge is directed to dispose of the suit within a period of three months thereafter.

Subject to the aforesaid observation, writ petition is disposed of.

(RAJESH TANDON, J.)

29.10.2004

P.S.R.